

REMARKS

In the Office Action, claims 1-23 were rejected. Of these claims, claims 1, 12, 17, and 21 are in independent form. By way of this response claims 1, 2, 3, 12-17, 21, and 23 have been amended, and Claims 18 and 22 have been canceled. Applicant respectfully submits that no new matter has been added by way of these amendments. Accordingly, claims 1-17, 19-21, and 23 are pending and at issue.

The Office Action objected to the drawings as failing to comply with 37 CFR 1.84(p)(4) because reference character "10" is used to designate both "factory automation device" (FIG. 1) and "PLC" (FIGS. 2-4). By way of this response, FIG. 1 has been amended to correct this inconsistency. Accordingly, Applicant respectfully requests withdrawal of the objection to the drawings.

The Office Action rejected claims 1, 12, 17, and 21 under 35 U.S.C. §112 as failing to comply with the written description requirement. In light of the claim amendments made herein, Applicant respectfully traverses these rejections. Specifically, language referencing an "application program request message being responsive to a network address associated with the automation device" has been removed from all of the claims. Accordingly, Applicant respectfully submits this rejection is now moot.

The Office Action rejected claims 1, 2, 4-7, 12, 13, 15, 17-23 under 35 U.S.C. §103(a) as being obvious over U.S. Patent 6,263,487 (Stripf) in view of U.S. Patent 5,974,547 (Klimenko). In addition, the Office Action rejected claims 3, 14 and 16 under 35 U.S.C. §103(a) as being obvious over Stripf in view of Klimenko, and further in view of "A Customizable Library to support Software Synthesis for Embedded Applications and Micro-Kernel Systems (Ditze). In addition, the Office Action rejected claims 8-11 under 35 U.S.C. §103(a) as being obvious over Stripf in view of Klimenko, and further in view of U.S. Patent 6,055,632 (Deegan). Applicant respectfully traverses these rejections.

As amended, claim 1 recites the limitation "the customized application program is selected by the network device in response to an application program request message received at the network device and sent from the automation device as part of a bootstrap protocol." Claims 2-11 depend from claim 1, thereby including the same limitation. Similarly, amended

claim 12 recites the limitation “transmitting a message for requesting the customized application program for the automation device as part of a bootstrap protocol.” Claims 13-16 depend from claim 12, thereby including the same limitation. Similarly, amended claim 17 recites the limitation “means for transmitting a message for requesting the customized application program as part of a bootstrap protocol.” Claims 19-20 depend from claim 17, thereby including the same limitation. Similarly, amended claim 21 recites the limitation “requesting the customized application program as part of a bootstrap protocol.” Claim 23 depends from claim 21, thereby including the same limitation.

No art of record teaches or suggests these limitations. Stripf discloses a bootstrap unit. However, Stripf does not teach or suggest using the bootstrap unit to request an application program from another device on the network. Klimenko discloses remotely booting a client computer. However, Klimenko does not teach or suggest requesting a customized application program for an automation device as part of the remote booting process.

In addition, amended claim 1 recites the limitation “the application program is downloaded to the automation device at a boot time of the automation device.” Claims 2-11 depend from claim 1, thereby including the same limitation. Similarly, amended claim 12 recites the limitation “installing the application program on the automation device at a boot time of the automation device.” Claims 13-16 depend from claim 12, thereby including the same limitation. Similarly, amended claim 17 recites the limitation “means for installing the application program at a boot time of the automation device.” Claims 18-20 depend from claim 17, thereby including the same limitation. Similarly, amended claim 21 recites the limitation “installing the application program on the automation device at a boot time of the automation device.” Claims 22-23 depend from claim 21, thereby including the same limitation.

No art of record teaches or suggests these limitations. Stripf does not teach or suggest downloading or installing an application program at an automation device during a boot time of the automation device. Additionally, Klimenko does not teach or suggest downloading or installing a customized application program at an automation device during a boot time of the automation device.

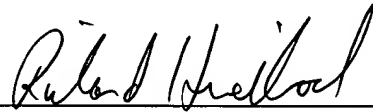
Application No. 09/635,280
Attorney Docket No. SAA-34-2 (402 P 230)
Reply to Office Action of May 14, 2004

Because the art of record fails to teach or suggest at least one of the elements of each claim at issue, the art of record does not anticipate or render obvious the claims at issue. Accordingly, Applicant believes claims 1, 2, 3, 12-17, 21, and 23 are in condition for allowance, and reconsideration is respectfully requested.

Respectfully submitted,

Dated: August 16, 2004

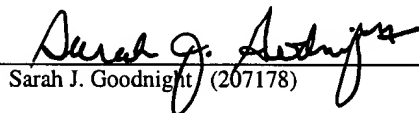
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